

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ROBERT LEO LANGE,

Plaintiff,

v.

No. 2:20-cv-01234-KWR-SCY

MARK GALLEGOS, *et al*,

Defendants.

ORDER OF DISMISSAL


THIS MATTER is before the Court following Plaintiff's failure to prosecute his prisoner civil rights action. He initiated this case while incarcerated at the Curry County Detention Center (CCDC). *See* Doc. 4 at 1. The CCDC inmate locator website reflects Plaintiff is no longer in custody, and he has not provided a current address as required by D.N.M. LR-Civ. 83.6. *See* <http://lookup.curryjail.com/>. On March 25, 2021, the Court entered an Order directing Plaintiff to notify the Clerk of his new address within thirty (30) days. *See* Doc. 9. The Order warned that failure to timely comply will result in dismissal of this action without further notice.

The deadline for Plaintiff to update his address was April 24, 2021. Plaintiff did not comply, and the Order was returned as undeliverable. *See* Doc. 10. Accordingly, the Court will dismiss his Amended Civil Rights Complaint (Doc. 4) without prejudice under Fed. R. Civ. P. 41(b) for failure to prosecute and comply with court orders. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003) ("Rule [41] ... permit[s] courts to dismiss actions *sua sponte* for a plaintiff's failure to ... comply with [civil rules and] court orders."). The Court will also deny Plaintiff's Motion to Amend (Doc. 6) and Motion for Immediate Relief/Review Due to COVID-19 (Doc. 7) as moot.

IT IS ORDERED that Plaintiff's Amended Civil Rights Complaint (**Doc. 4**) is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Amend (**Doc. 6**) and Motion for Immediate Relief/Review Due to COVID-19 (**Doc. 7**) are **DENIED AS MOOT**.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE